

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The rejection of claims 1-5 under 35 U.S.C. §103 as allegedly being made "obvious" based on Peters '284 in view of Hogan '528 is respectfully traversed.

Peters is concerned with a Cable Service Provider company General management computer system. Naturally, such a system does include a billing function and this is mentioned in Peters, but more as an aside than as the core part of the "invention" described in Peters (which would seem to be about a method of controlling a device referred to in Peters as a "cable converter" or simply as a "converter"). As explained at column 5 lines 24-37 of Peters, a "cable converter" is a device located at each subscriber's dwelling which performs television signal decoding to enable "special channels" to be watched by the subscriber either permanently or on a pay-per-view basis (this is presumably what is more normally referred to as a cable box).

As mentioned, Peters does discuss billing abilities of the system (referred to generally as SAM), albeit somewhat in passing, at column 29, lines 3-20 which is the first portion of Peters referred to by the Examiner. This paragraph simply states that the system is able to gather together relevant data for generating a bill and then to generate such a bill. No information is given as to how this is done (which is not that surprising since it is rather peripheral to the "invention" with which Peters is concerned).

Naturally, applicants are not suggesting that they have invented the general concept of automatically generating a bill from usage data - this was common general knowledge in the prior art. In this portion of Peters therefore, all that can really be said to be "taught" is the common general knowledge of automatically assembling usage data together into a format suitable for presenting as a bill to a user. Furthermore, this is all that is taught by Peters in respect of bill generation in the entire document (again, since bill generation is not a major concern of the invention described in Peters this is not surprising). Also note that nowhere in Peters is there any mention of editing a bill image (column 29 merely describes creating the bill image in the first place).

The second portion of Peter's which is referred to by the Examiner (column 17 lines 39-67 to Column 18 line 23) has nothing to do with bill generation at all. It is concerned with something which is more relevant to the actual "invention" of Peters, namely of how to use SAM to modify information stored by SAM about a particular cable converter device such as its location, etc. Contrary to the Examiner's implicit assertion, there is nothing in this section which seems to correspond in any way to a charge type identifier.

Since the Examiner has conceded that all parts of the claim after the second line are not disclosed in Peters, it follows that no part of the claim is actually disclosed in Peters at all - i.e. Peters discloses creating a bill image (not editing it) and does not describe assigning charge type identifiers to records appearing in a bill image.

Hogan is concerned with an electronic billing system. The general architecture of the overall system is that there is an electronic bill payment service provider which acts as an intermediary between a number of "payees" (i.e. people who generate bills and want them to be paid by their customers) and a number of "subscribers" (i.e. customers being billed). The invention of Hogan is concerned primarily with the intermediary bill payment service provider, and not with the operation of individual payees.

All that is said about bill image generation in Hogan appears at column 4 line 53 to column 5 line 14, where it simply states that each payee, instead of printing out a bill image, sends it to a bill capture device 150, "after the images are created but before they are printed". Since, naturally, the payees are responsible for generating bills for sending to their clients, it is only reasonable that the intermediary service provider should not thereafter edit the bill image (since this could then result in a customer of the payee being misled about the amount of money owed, etc.), and it is not therefore surprising that there is no disclosure in Hogan of the intermediary system editing the bill images at all - rather they are provided as they are to the subscribers for viewing. Also, since Hogan is not really concerned with how the payees generate their bill images, it is again not surprising that Hogan again fails to disclose how an individual payee edits or even generates a bill image.

The examiner refers to Hogan column 4 lines 36-67 to column 5 line 43 (sic) as support for his assertion that Hogan "suggests that the method having a format of the appearance of the electronic bill image being dependent on the CTIs of the respective

records, the method including the steps of establishing a set of data structures, converting each record of the bill image into a record held in one or more of the records held in the data structures, and using the records held in the data structures to create a new electronic bill image having a new appearance".

However, a reading of the referred to portion of Hogan does not reveal any of these things being suggested. Rather, the cited passage seems to only describe how payees send their bills to a bill capture device of the intermediary system which then forwards the bills on to a web server from where subscribers may view and pay their bills (in the exact same form in which the payees sent them to the intermediary). There is no disclosure of changing the appearance of the bill image in any way whatsoever, let alone by converting each record of the bill image into a record held in one or more data structures in dependence on the CTI of the respective bill image record, etc.

Thus neither Peters nor Hogan describes a method of editing a bill image, nor any other method involving any of the steps set out in the independent claims. Since neither of the documents is related to bill image editing and neither document seems to describe any of the claimed features, the present invention as claimed could not possibly be anticipated or rendered obvious in view of either of the documents alone or in combination.

In view of the fundamental deficiencies of the cited references with respect to at least some features of independent claims 1 and 5, it is not believed necessary at this time

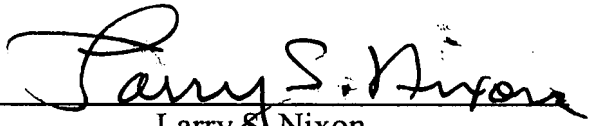
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to detail the additional deficiencies of these references with respect to other features of the independent claims or the additional features of the dependent claims.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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